

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHARLES CARL, )  
Plaintiff, ) C.A. No.: 05-918  
v. ) Trial By Jury Demanded  
MBNA, AMERICA BANK, N.A. )  
Defendant. )  
**MOTION FOR EXTENSION OF TIME FOR SERVICE**

## **MOTION FOR EXTENSION OF TIME FOR SERVICE**

The plaintiff in the above-captioned matter moves this Court for an additional sixty (60) days for the services of the Summons and Complaint, pursuant to Rule 4(m), Federal Rules of Civil Procedure. The basis of this motion is as follows:

1. The complaint in this matter was filed on December 29, 2005.
2. On the evening of December 29, 2005 and the morning of December 30, 2005 plaintiff's counsel became ill and was admitted to Christiana Hospital on an emergency basis.
3. A summons was issued in this matter on January 17, 2005, during the week of which the plaintiff's attorney was admitted to St. Francis Hospital for surgery.
4. Plaintiff's attorney became aware, on or about May 5, 2006, that although the summons had been issued, it had not been served.
5. Plaintiff's attorney has requested an Alias Summons to provide service forthwith.

ABER, GOLDLUST, BAKER & OVER

/s/ Gary W. Aber

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DATED: May 9, 2006